

AMENDMENTS TO THE DRAWINGS

The attached sheet(s) of drawings includes changes to Figure 7.

REMARKS

Applicant hereby traverses the outstanding objections and rejections, and requests reconsideration and withdrawal in light of the amendments and remarks contained herein. Claims 15-16 and 20 have been canceled without prejudice. Claims 1-14, 17-19, and 21-22 are pending in this application.

Objection to the Drawings

The Examiner has objected to the drawings, specifically FIGURE 7. In response, Applicant submits a proposed drawing change to FIGURE 7, which labels FIGURE 7 as prior art, as suggested by the Examiner. As each identified instance of informality has been corrected with a corresponding proposed amendment, Applicant believes that the objection to the drawings has been overcome, and that this objection should be withdrawn.

Objection to the Claims

Claim 21 is objected to for informalities listed on page 2 of the Office Action. In response, Applicant has amended claim 21 in accordance with the suggestion provided on page 2 of the Office Action. The claim has been amended only for the purpose of resolving the cited informality, and not for the purpose of narrowing its scope in the face of prior art. No new matter has been entered. As this amendment addresses the recited informality, Applicant respectfully requests the withdrawal of the objection of record.

Rejection under 35 U.S.C. § 102(b)

Claims 1-22 are rejected under 35 U.S.C. § 102(b) as being anticipated by Applicant's Admitted Prior Art (hereinafter AAPA).

It is well settled that to anticipate a claim, the reference must teach every element of the claim, see M.P.E.P. § 2131. Moreover, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, "[t]he elements must be arranged as required by the claim," see M.P.E.P. § 2131, citing *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Furthermore, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim," see M.P.E.P. § 2131, citing *Richardson v. Suzuki Motor Co.*,

9 U.S.P.Q.2d 1913 (Fed. Cir. 1989). Applicant respectfully asserts that the rejection does not satisfy these requirements.

Claim 1, as amended, defines resolving a metastability by allowing a portion of a rotation of the quadrature vector before asserting an output signal. AAPA does not disclose at least this limitation. As shown in FIGURE 1, metastabilities are not resolved prior to the output signal being asserted. Thus, AAPA does not teach the all of the claimed limitations. Therefore, the Applicant respectfully asserts that for the above reasons claim 1 is patentable over the 35 U.S.C. § 102 rejection of record.

Claim 7, as amended, defines circuitry for allowing a portion of a rotation of the quadrature vector before asserting an output signal to resolve a metastability. As shown in FIGURE 1, metastabilities are not resolved prior to the output signal being asserted. Thus, AAPA does not teach the all of the claimed limitations. Therefore, the Applicant respectfully asserts that for the above reasons claim 7 is patentable over the 35 U.S.C. § 102 rejection of record.

Claim 13, as amended, defines circuitry for delaying a glitch within said dead-band for a period of time to allow the glitch to resolve. As shown in FIGURE 1, glitches are not delayed to allow them to resolve. Thus, AAPA does not teach the all of the claimed limitations. Therefore, the Applicant respectfully asserts that for the above reasons claim 13 is patentable over the 35 U.S.C. § 102 rejection of record.

Claim 19, as amended, defines delaying a glitch within said dead-band for a period of time to allow the glitch to resolve, said delaying a function of said speed of said phase rotation. As shown in FIGURE 1, glitches are not delayed to allow them to resolve. Thus, AAPA does not teach the all of the claimed limitations. Therefore, the Applicant respectfully asserts that for the above reasons claim 19 is patentable over the 35 U.S.C. § 102 rejection of record.

Claim 21, as amended, defines circuitry for delaying a glitch within said dead-band for a period of time to allow the glitch to resolve. As shown in FIGURE 1, glitches are not delayed to allow them to resolve. Thus, AAPA does not teach the all of the claimed

limitations. Therefore, the Applicant respectfully asserts that for the above reasons claim 21 is patentable over the 35 U.S.C. § 102 rejection of record.

Claims 2-6, 8-12, 14, 17-18, and 22 depend from base claims 1, 7, 13, 21, respectively, and thus inherit all limitations of their respective base claims. Each of claims 2-6, 8-12, 14, 17-18, and 22 sets forth features and limitations not recited by AAPA. Thus, the Applicant respectfully asserts that for the above reasons claims 2-6, 8-12, 14, 17-18, and 22 are patentable over the 35 U.S.C. § 102 rejection of record. Note that claims 5, 11, 14, and 22 have been amended to correspond with their respective base claim.

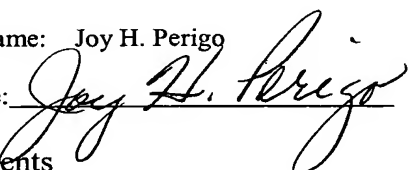
In view of the above amendment, applicant believes the pending application is in condition for allowance.

The required fee for this response is enclosed. If any additional fee is due, please charge Deposit Account No. 50-1078, under Order No. 10030039-1 from which the undersigned is authorized to draw.

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Label No. EV482745415US in an envelope addressed to: M/S Amendment, Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: 01-12-2005

Typed Name: Joy H. Perigo

Signature: 

Attachments

Respectfully submitted,

By: 

Michael A. Papalas
Attorney/Agent for Applicant(s)
Reg. No. 40,381
Date: January 12, 2005
Telephone No. (214) 855-8186